

Serial No.: 10/671,940
Docket No.: 101-1007
Amendment after Final Rejection dated June 19, 2008
Reply to the Final Office Action of April 22, 2008

REMARKS

Introduction

Applicant notes with appreciation the Examiner's indication that claim 9 would be allowable if rewritten in independent form. Applicant also notes with appreciation the Examiner's indication that claims 25-32 and 40 are allowed.

Upon entry of the foregoing amendment, claims 1-42 are pending in the application. Claims 1 and 41 have been amended. No new matter is being presented. In view of the following remarks, reconsideration and allowance of all the pending claims are requested.

Entry of this Amendment After Final is proper under 37 C.F.R. §1.116 because the claim amendments: (a) place this application in condition for allowance (for the reasons discussed herein), (b) do not raise any new issues requiring further search and/or consideration (since the amendments amplify issues previously discussed throughout prosecution as indicated in the Final Office Action), (c) present the rejected claims in better form for consideration on appeal (should an appeal be necessary), and (d) are necessary and were not earlier presented because they are made in response to arguments raised in the Final Office Action.

Accordingly, for at least the reasons discussed above, entry of this Amendment is respectfully requested.

Objections

The Examiner has objected to the claims due to informalities. More specifically, the Examiner states that claim 41, from which claim 42 depends, recites first and second support beams and not first support beams and second support beams. Although Applicants disagree that this is an objectionable issue, since there is no antecedent basis problem and it is clear that "first and second support beams" applies to "first support beams" and "second support beams," Applicants have nevertheless amended independent claim 41 to address the Examiner's concerns.

Therefore, Applicants respectfully request reconsideration and withdrawal of the above

Serial No.: 10/671,940
Docket No.: 101-1007
Amendment after Final Rejection dated June 19, 2008
Reply to the Final Office Action of April 22, 2008

objections to the claims.

Rejection under 35 USC § 102 to Meyer

Claims 1-8 and 11 have been rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 6,239,817 to Meyer. Applicants respectfully request reconsideration and withdrawal of this rejection for at least the following reasons.

Independent Claim 1

On page 3 of the Office Action dated April 22, 2008, the Examiner alleges that Meyer discloses all the limitations recited in independent claim 1. In particular, the Examiner relies on a front set 35 of cockle ribs 72-82 and a rear set 37 of cockle ribs 84-94 of Meyer as allegedly reading on Applicants' "first and second support beams connected to and extending away from inner portions of the first and second wall portions of the ink collector which face each other in the paper feed direction and in an opposite direction to the paper feed direction, respectively, and alternately arranged with each other in a scan direction," as previously recited in independent claim 1 of Applicants' invention. See page 3 of the Office Action dated April 22, 2008.

However, it is respectfully submitted that Meyer does not teach or disclose, among other things, "first and second support beams connected to and extending away from inner portions of a respective one of the first and second wall portions of the ink collector in a direction towards the other one of the first and second wall portions of the ink collector, which face each other in the paper feed direction and in an opposite direction to the paper feed direction, respectively, the first and second support beams being alternately arranged with each other in a scan direction, such that a portion of each of the first support beams which are parallel to the inner portions of the first and second wall portions do not face a portion of each of the second support beams which are parallel to the inner portions of the first and second wall portions," as presently recited in independent claim 1 of Applicants' invention.

More specifically, although FIGS. 2 and 3 of Meyer illustrate that the front set 35 of cockle ribs 72-82 and the rear set 37 of cockle ribs 84-94 extend away from wall portions 68 and 69 of platen 30, the cockle ribs 72-82 and 84-94 do not extend "away from inner portions of a

FIG. 3

FIG. 3

Serial No.: 10/671,940
Docket No.: 101-1007
Amendment after Final Rejection dated June 19, 2008
Reply to the Final Office Action of April 22, 2008

Referring to the exemplary FIG. 3 of Meyer above, a triangle has been formed by a vertical distance X, a horizontal distance V, and a hypotenuse distance Z in order to illustrate the relative distance of the cockle rib 86 from the opposite wall portion 68 as it extends in a vertical direction. Accordingly, it is clear that as the cockle rib 86 extends in the vertical (X) direction, the cockle rib 86 is distanced further and further from the opposite wall portion 68. More specifically, the horizontal distance V between the cockle rib 86 and the wall portion 68 is less than the hypotenuse distance Z, since it is well known that a hypotenuse of a triangle is the longest edge of the triangle.

Therefore, for at least the reasons above, Meyer does not teach or disclose, among other things, "first and second support beams connected to and extending away from inner portions of a respective one of the first and second wall portions of the ink collector in a direction towards the other one of the first and second wall portions of the ink collector, which face each other in the paper feed direction and in an opposite direction to the paper feed direction, respectively," as presently recited in independent claim 1 of Applicants' invention.

Also, referring again to FIGS. 2 and 3 of Meyer, it is clearly illustrated that the portions of the cockle ribs 72-82 and 84-94 of Meyer which are parallel to the wall portions 68 and 69 of the platen 30, face each other and therefore do not read on Applicants' alternately arranged support beams of independent claim 1. In addition, Meyer's printing apparatus is limited to the front set 35 of cockle ribs 72-82 being diametrically opposite the rear set 37 of cockle ribs 84-94, which is clearly not the same as "first and second support beams being alternately arranged with each other in a scan direction, such that a portion of each of the first support beams which are parallel to the inner portions of the first and second wall portions do not face a portion of each of the second support beams which are parallel to the inner portions of the first and second wall portions," as presently recited in independent claim 1 of Applicants' invention. See column 4, lines 47-48 of Meyer. Therefore, for at least the above reasons, Meyer does not teach or disclose all of the limitations as presently recited in independent claim 1 of Applicants' invention.

It is well established that "[a] claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." Verdegaal Bros. v. Union Oil Co. of California, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). The identical invention must be shown in as complete detail as

Serial No.: 10/671,940
Docket No.: 101-1007
Amendment after Final Rejection dated June 19, 2008
Reply to the Final Office Action of April 22, 2008

contained in the...claim.” Richardson v. Suzuki Motor Co., 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). “The elements must be arranged as required by the claim...” In re Bond, 910 F.2d 831, 15 USPQ2d 1566 (Fed. Cir. 1990).

Accordingly, since Meyer does not teach or disclose all of the elements set forth in independent claim 1, this claim is patentably distinguishable from Meyer. Thus, Meyer cannot be properly used to reject independent claim 1 under 35 U.S.C. §102(b) as submitted in the Office action mailed on April 22, 2008, and withdrawal of this rejection and allowance of this claim are respectfully solicited.

Dependent Claims 2-8 and 11

With respect to claims 2-8 and 11, it is respectfully submitted that for at least the reason that claims 2-8 and 11 depend from independent claim 1, which is patentably distinguishable over Meyer for at least the reasons provided above, and therefore contain each of the features as recited in independent claim 1, dependent claims 2-8 and 11 are also patentably distinguishable over Meyer, and withdrawal of this rejection and allowance of these claims are respectfully solicited.

Rejection under 35 USC § 102 to Kodama

Claims 1 and 41 have been rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Publication No. 2005/0078147 to Kodama et al. (hereinafter “Kodama”). Applicants respectfully request reconsideration and withdrawal of this rejection for at least the following reasons.

Independent Claim 1

Referring to pages 7 and 8 of the Office Action dated April 22, 2008, the Examiner asserts that Kodama's protuberance 14b and top 10 form two walls from which ribs 38 extend in a paper feed direction and the opposite direction, since the ribs 38 are not one dimensional.

However, it is respectfully submitted that Kodama does not teach or disclose, among other things, “first and second support beams connected to and extending away from inner portions of a respective one of the first and second wall portions of the ink collector in a direction

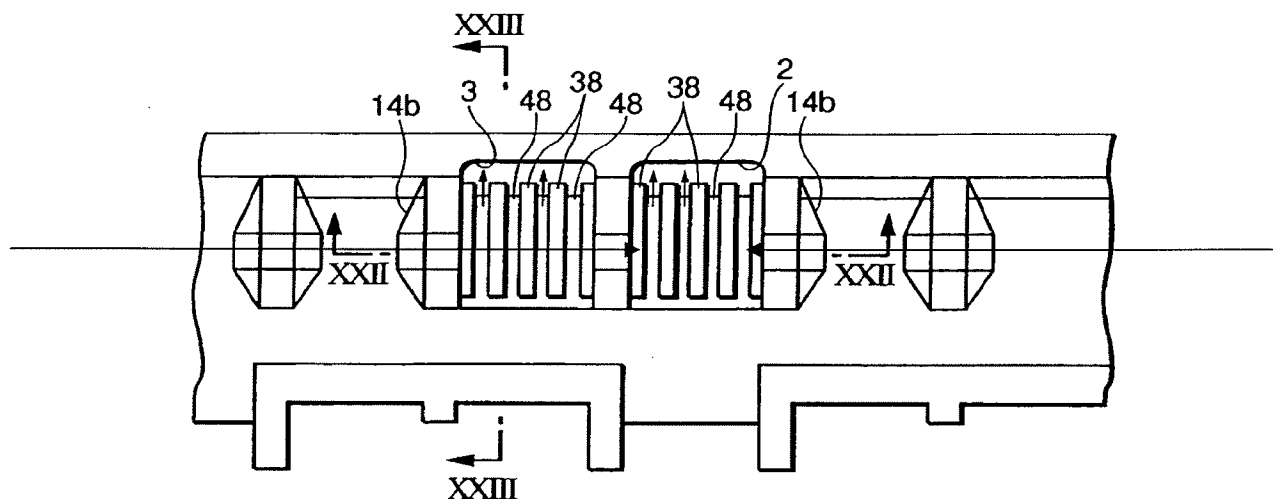
Serial No.: 10/671,940
Docket No.: 101-1007
Amendment after Final Rejection dated June 19, 2008
Reply to the Final Office Action of April 22, 2008

towards the other one of the first and second wall portions of the ink collector, which face each other in the paper feed direction and in an opposite direction to the paper feed direction, respectively, the first and second support beams being alternately arranged with each other in a scan direction, such that a portion of each of the first support beams which are parallel to the inner portions of the first and second wall portions do not face a portion of each of the second support beams which are parallel to the inner portions of the first and second wall portions," as presently recited in independent claim 1 of Applicants' invention.

Firstly, the Examiner admits on page 8 of the Office Action dated April 22, 2008 that Kodama "does not disclose support beams extending away from the first wall portion of the ink collector and toward the second wall portion in a paper feed direction." This is further illustrated by FIGS. 21 and 22 of Kodama, where even though the ribs 38 have dimensions in the paper feed direction, the ribs 38 merely extend from the inside of protuberances 14b in a scanning direction, which is not the same as extending towards respective wall portions in a paper feed direction and in an opposite direction to the paper feed direction. Therefore, for at least the reasons above, Kodama does not teach or disclose, among other things, "first and second support beams connected to and extending away from inner portions of a respective one of the first and second wall portions of the ink collector in a direction towards the other one of the first and second wall portions of the ink collector, which face each other in the paper feed direction and in an opposite direction to the paper feed direction, respectively," as presently recited in independent claim 1 of Applicants' invention.

Moreover, referring to FIG. 21 of Kodama, it is clear that Kodama also does not teach or disclose, among other things, "the first and second support beams being alternately arranged with each other in a scan direction, such that a portion of each of the first support beams which are parallel to the inner portions of the first and second wall portions do not face a portion of each of the second support beams which are parallel to the inner portions of the first and second wall portions," as presently recited in independent claim 1 of Applicants' invention. More specifically, FIG. 21 of Kodama illustrates that the portions of the ribs 38 which are parallel to the protrusions 14b and top portion 10 do in fact face each other, as further pointed out by the arrows in the exemplary FIG. 21 below:

FIG. 21



Therefore, Kodama further does not teach or disclose all of the elements as presently recited in independent claim 1 of Applicants' invention.

Therefore, since Kodama does not teach or disclose all of the elements set forth in independent claim 1, this claim is patentably distinguishable from Kodama. Thus, Kodama cannot be properly used to reject independent claim 1 under 35 U.S.C. §102(e) as submitted in the Office action mailed on April 22, 2008, and withdrawal of this rejection and allowance of this claim are respectfully solicited.

Independent Claim 41

Referring again to pages 7 and 8 of the Office Action dated April 22, 2008, the Examiner asserts that Kodama's protuberance 14b and top 10 form two walls from which ribs 38 extend in a paper feed direction and the opposite direction, since the ribs 38 are not one dimensional.

However, it is respectfully submitted that Kodama does not teach or disclose, among other things, "first support beams and second support beams connected to and extending away from respective ones of the first and second opposing wall portions of the ink collector in a direction towards the other one of the first and second opposing wall portions of the ink collector and in a paper-feed direction and an opposite direction to the paper feed direction, respectively,

Serial No.: 10/671,940
Docket No.: 101-1007
Amendment after Final Rejection dated June 19, 2008
Reply to the Final Office Action of April 22, 2008

to segment the defined space of the ink collector without partitioning the defined space,” as presently recited in independent claim 41 of Applicants’ invention.

As stated above regarding independent claim 1, the Examiner admits on page 8 of the Office Action dated April 22, 2008 that Kodama does not disclose support beams “extending away from the first wall portion of the ink collector and toward the second wall portion in a paper feed direction.” This is further illustrated by FIGS. 21 and 22 of Kodama, where even though the ribs 38 have dimensions in the paper feed direction, the ribs 38 merely extend from the inside of protuberances 14b in a scanning direction, which is not the same as extending towards respective wall portions in a paper feed direction and in an opposite direction to the paper feed direction. Therefore, for at least the reasons above, Kodama does not teach or disclose, among other things, “first support beams and second support beams connected to and extending away from respective ones of the first and second opposing wall portions of the ink collector in a direction towards the other one of the first and second opposing wall portions of the ink collector and in a paper-feed direction and an opposite direction to the paper feed direction, respectively,” as presently recited in independent claim 41 of Applicants’ invention.

Therefore, since Kodama does not teach or disclose all of the elements set forth in independent claim 41, this claim is patentably distinguishable from Kodama. Thus, Kodama cannot be properly used to reject independent claim 41 under 35 U.S.C. §102(e) as submitted in the Office action mailed on April 22, 2008, and withdrawal of this rejection and allowance of this claim are respectfully solicited.

Rejection under 35 USC § 103 to Matsushita

Claim 10 has been rejected under 35 U.S.C. §103(a) as being unpatentable over to Meyer in view of U.S. Patent No. 5,997,129 to Matsushita. Applicants traverse this rejection for at least the following reasons.

Applicants respectfully reference MPEP § 2143.03, which states that “[i]f an independent claim is nonobvious in view of one or more references, then any claim depending therefrom is also nonobvious. *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988).” Since claim 10 depends from independent claim 1, which was shown above to be allowable, claim 10 is

Serial No.: 10/671,940
Docket No.: 101-1007
Amendment after Final Rejection dated June 19, 2008
Reply to the Final Office Action of April 22, 2008

therefore allowable as well.

Furthermore, the Examiner admits that Meyer does not teach all of the limitations of dependent claim 10, and therefore relies upon Matsuhashi to disclose the limitations lacking in Meyer, namely "a second support beam with round end portions." See Office Action of November 14, 2007, page 6, lines 19-20. However, Applicants respectfully submit that Matsuhashi does not remedy the deficiencies of Meyer regarding independent claim 1, from which claim 10 depends. More specifically, Matsuhashi does not teach or suggest, among other things, "first and second support beams connected to and extending away from inner portions of one of the first and second wall portions of the ink collector in a direction towards the other one of the first and second wall portions of the ink collector which face each other in the paper feed direction and in an opposite direction to the paper feed direction, respectively, and alternately arranged with each other in a scan direction, such that portions of the first and second support beams which are parallel to the inner portions of the first and second wall portions of the ink collector do not face each other," as presently recited in independent claim 1 of Applicants' invention. Since Matsuhashi does not teach or suggest the limitations lacking in Meyer, Matsuhashi does not teach all of the limitations of claim 10.

As set forth in the discussion of dependent claim 10, since neither Meyer nor Matsuhashi, separately or in combination, teach or suggest all of the elements as recited in independent claim 1, from which claim 10 depends, these documents cannot be properly used to reject dependent claim 10 under 35 U.S.C. §103(a) as submitted in the Office action mailed on April 22, 2008, and withdrawal of this rejection and allowance of this claim are respectfully solicited.

Conclusion

It is respectfully submitted that a full and complete response has been made to the outstanding Office Action and, as such, there being no other objections or rejections, this application is in condition for allowance, and a notice to this effect is earnestly solicited.

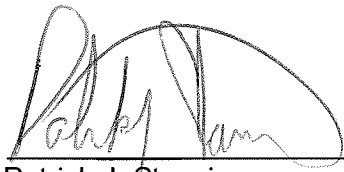
Serial No.: 10/671,940
Docket No.: 101-1007
Amendment after Final Rejection dated June 19, 2008
Reply to the Final Office Action of April 22, 2008

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided below.

If any further fees are required in connection with the filing of this amendment, please charge the same to our Deposit Account No. 502827.

Respectfully submitted,

STANZIONE & KIM, LLP

By: 
Patrick J. Stanzone
Registration No. 40,434

Dated: June 19, 2008
919 18th St., NW, Suite 440
Washington, DC 20006
Telephone: (202) 775-1900
Facsimile: (202) 775-1901